

1 Rule 106. Modification of ~~divorce decrees~~ final domestic relations order.

2 (a) Commencement; service; answer. Except as provided in Utah Code Section 30-  
3 3-37, proceedings to modify a divorce decree or other final domestic relations order  
4 shall be commenced by filing a petition to modify ~~the divorce decree~~. Service of the  
5 petition, or motion under Section 30-3-37, and summons upon the opposing party shall  
6 be in accordance with Rule 4. The responding party shall serve the answer within the  
7 time permitted by Rule 12.

8 (b) Temporary orders.

9 (b)(1) The judgment, order or decree sought to be modified remains in effect during  
10 the pendency of the petition. The court may make the modification retroactive to the  
11 date on which the petition was served. During the pendency of a petition to modify, the  
12 court:

13 (b)(1)(A) may order a temporary modification of child support as part of a temporary  
14 modification of custody or parent-time; and

15 (b)(1)(B) may order a temporary modification of custody or parent-time to address an  
16 immediate and irreparable harm or to ratify changes made by the parties, provided that  
17 the modification serves the best interests of the child.

18 (b)(2) Nothing in this rule limits the court's authority to enter temporary orders under  
19 Utah Code Section 30-3-3.

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